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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/989,441
Filing Date	November 21, 2001
First Named Inventor	Hajime Matsuzaki et al
Group Art Unit	1634
Examiner Name	Frank Lu
Attorney Docket Number	003848.00099

Total Number of Pages in This Submission

ENCLOSURES (check all that apply)

- | | | |
|---|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form

<input type="checkbox"/> Fee Attached

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<input type="checkbox"/> Affidavits/declaration(s)

<input type="checkbox"/> Extension of Time Request

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<input type="checkbox"/> Information Disclosure Statement

<input type="checkbox"/> Certified Copy of Priority Document(s)

<input type="checkbox"/> Response to Missing Parts/ Incomplete Application

<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application)

<input type="checkbox"/> Drawing(s)

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<input type="checkbox"/> Terminal Disclaimer

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Remarks | <input type="checkbox"/> After Allowance Communication to Group

<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences

<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)

<input type="checkbox"/> Proprietary Information

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michelle L. Holmes-Son, Reg. No. 47,660
Signature	
Date	February 4, 2003

CERTIFICATE OF MAILING

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>In re</i> Application of:)	Group Art Unit: 1634
)	
Hajime Matsuzaki, <i>et al.</i>)	
)	Examiner: Frank Lu
Application Serial No.: 09/989,441)	
)	Atty. Dkt. No. 003848.00099
Filed: November 21, 2001)	
)	
For: METHODS AND COMPOSITIONS FOR MULTIPLEX AMPLIFICATION OF NUCLEIC ACIDS)	

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RESPONSE TO OFFICE ACTION

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In response to the Office Action mailed November 4, 2002, applicants request entry of the following amendments and reconsideration of the patentability of the rejected claims. Claims 1-11 and 15-24 are pending in the application. Claims 1, 2, and 4-10 have been examined and are currently rejected. No fees are believed to be due to make this response filed timely. However, should any fee be required, please charge our Deposit Account No. 19-0733.

IN THE CLAIMS

Please cancel non-elected claims 11, and 15-24.

REMARKS

Nonstatutory Double Patenting Rejection of Claims 1, 2, and 4-10

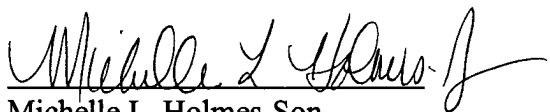
Claims 1, 2, and 4-10 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 2, and 4-10 of U.S. Patent No. 6,333,179.

A terminal disclaimer accompanies this response to obviate the double patenting rejection of claims 1, 2, and 4-10. Withdrawal of this rejection is respectfully requested.

The claims should now be in condition for allowance. Applicants respectfully request that the Patent Office consider claims that read on the non-elected species, cDNA (claim 3).

Respectfully submitted,

Dated: February 4, 2003

By: 
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